DEDICATION AND CONSENT:

KNOW BY ALL THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS IN FEE SIMPLE OF THE LAND HEREIN DESCRIBED, HEREBY CERTIFY THAT THIS PLANNED RESIDENTIAL DEVELOPMENT IS MADE AS OUR FREE AND VOLUNTARY ACT AND DEED AND DECLARE THIS PRD AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, WHATEVER PUBLIC PROPERTY THERE IS SHOWN ON THE PLAT AND THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR THE PRIVATE ROADS. WE ALSO DEDICATE TO THE OWNERS OF THE LOTS HEREIN DESCRIBED FOREVER, ALL PRIVATE ROADS AND WHATEVER MUTUALLY OWNED PROPERTY THAT IS SHOWN ON THE PLAT DEVELOPMENT. ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES, CUTS AND FILLS IN THE RESONABLE ORIGINAL GRADING OF THE ROADS SHOWN HEREON. ALSO THE RIGHT TO DRAIN SAID PRIVATE ROAD OVER AND ACROSS ANY LOT, LOTS AND/OR TRACTS WHERE WATER MIGHT TAKE A NATURAL COURSE AFTER THE ORIGINAL GRADING. GRANTED HEREBY IS A WAIVER OF ALL CLAIMS FOR DAMAGES AGAINST ISLAND COUNTY WHICH MAY BE OCCASIONED TO THE ADJACENT LAND WITHIN THE PRD BY THE ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF SAID PRIVATE ROADS.

IN MITNESS WHEREOF, WE HEREBY REBY SET OUR HANDS AND SEALS

TERRY MITCHELL, CO-TRUSTEE S. milike

COOK, CO-TRUSTEE MITCHELL

ACKNOWLEDGEMENTS:

STATE OF WASHINGTON

COUNTY OF ISLAND)SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT TERRY L. MITCHELL IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS A TRUSTEE OF THE MITCHELL FAMILY TRUST, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE NSTRUMENT

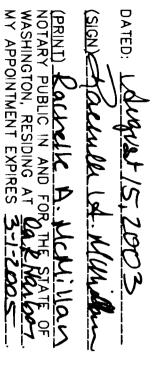
(PRINT) ROCKELL A. MUMINGON, RESIDING AT CALLED (SIGN) Kachelle 1st. Klumber August 15,2003



ACKNOWLEDGEMENTS:

STATE OF WASHINGTON COUNTY OF ISLAND)SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT MARSHA W. COOK IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT SHE SIGNED THIS INSTRUMENT, ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS A TRUSTEE OF THE MITCHELL FAMILY TRUST, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE



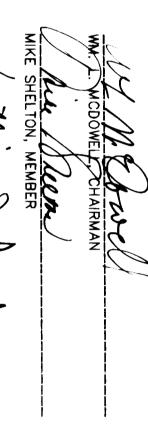


A Planned Residential Development CHELEEK PRD

Sections 4 and 9, T.32N., R.2E., W.M.

BOARD OF COUNTY COMMISSIONERS:

BOARD OF COUNTY COMMISSION GRS. ISLAND COUNTY, WASHINGTON



ATTEST: WILLIAM J. BYRD, MEMBER wille \$

ELAINE MARLOW
CLERK OF THE BOARD



000

ENGINEER'S APPROVAL CERTIFICATE:

EXAMINED AND APPROVED IN ACCORDANCE WITH BCW 58.17.160(1) AND CHAPTER 11.01. ISLAND COUNTY CODE THIS 20 DAY OF

RICHARD SNYDER, ISLAND COUNTY ENGINEER

PLANNING DIRECT OR'S APPROVAL CERTIFICATE:

THIS PLANNED RESIDENTIAL DEVE SUBDIVISIONS AS ESTABLISHED B CODE, AND IS HEREBY APPROVED DEVELOPMENT CONFORMS TO THE REQUIREMENTS OF THE ISLAND COUNTY ROVED THIS ______DAY OF



LAND SURVEYOR'S CERTIFICATE:

NORTH,

JACKIE H. SIEBERT, PROF CERTIFICATE NO. 14490 FESSIONAL DATE: ___ LAND SURVEYOR

PLANNED RESIDENTIAL DEVELOPMENT NO. PRD 169/96 SPR 405/96 NOS. R23204-050-4300 and R23204-065-4760 ISLAND COUNTY PARCEL

NOTES:

1. ISLAND COUNTY HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN PRIVATE ROADS CONTAINED WITHIN OR PRIVATE ROADS PROVIDING ACCESS TO THE PROPERTY DESCRIBED IN THIS DEVELOPMENT (PER ICC 11.01.060.A)

2. APPROVAL OF THIS SUBDIVISION DOES NOT GUARANTEE THE ISSJANCE OF SEWAGE DISPOSAL SYSTEM PERMITS OR THE AVAILABILITY OF POTABLE WATER. THIS FINAL PRD MAP SERVES AS THE FINAL MAP AND APPROVAL OF D 169/96 AND SPR 405/96.

PRIVATE ROAD MAINTENANCE PROVISION:

MAINTENANCE, REPAIR AND/OR RECONSTRUCTION OF ANY PRIVATE ROAD IMPROVEMENTS, LANDSCAPING AND/OR UTILITY SYSTEMS LOCATED UPON OR WITHIN TRACT A, EXCEPT FOR SUCH UTILITY SYSTEMS THAT ARE MAINTAINED BY THOSE PURVEYORS PROVIDING SERVICE THEREBY SHALL BE THE RESPONSIBILITY OF AND THE COSTS OF SAID MAINTENANCE, REPAIR AND OR CONSTRUCTION BORNE BY THE CHELEEK PRD COMMUNITY ASSOCIATION, ITS SUCCESSORS AND ASSIGNS.

SEE ROAD/DRAINAGE MAINTENANCE AGREEMENT UNDER ISLAND COUNTY AUDITOR'S FILE NO. _____

TREASURER'S CERTIFICATE:

ALL TAXES LEMED WHICH HAVE BECOME A LIEN UPON DESCRIBED HAVE BEEN FULLY PAID AND DISCHARGED RECORDS OF MY OFFICE, INCLUDING TAXES FOR THE CI N THE LANDS HEREIN

ACCORDING TO THE

CURRENT YEAR, 2004





PAGES

RECORDING CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF

UTES DAY 윾 AUGUST 유 PLANNED RESIDENTIAL 2003, AT が

PAST 10 A.M./PH, IN VOLUME DEVELOPMENTS CORDS OF ISLAND INCLUSIVE, UNDER AUDITOR'S FILE NO. COUNTY, WASHINGTON. 40 11107

AUDITOR -



DRAWN BY: AJS Land Surveying Company 4610 200th St. S.W. Suite A Lynnwood, Wa. 98036 (425)776-2926 Fax:776-2850 Tri-County DATE: AUGUST 2003 JOB No. 67-062

CHECKED BY:

B

SCALE:

HELEEK

Planned Residential Development

ISLAND COUNTY, WASHINGTON Oak Harbor, Washington

RESTRICTIONS:

1. Direct vehicular access to Old Polnell Road is restricted to the Tombolo Drive easement shown hereon. Direct vehicular access to Lot 9 is restricted Tombolo Drive or Viewpoint Drive. ţ

2. No Blocking, diverting or other alteration of existing, natural, or approved man—made drainage ways is permitted without the prior approval of the Island County Engineering Department.

3. The PRD is subject to the terms and conditions of that certain "Declaration of Covenant" for protection of well from pollution, recorded under Auditor's File No.413433.

4. The PRD is limited to the number of lots shown on this plat. No lot be further subdivided without approval of Island County and unless a new planned residential development is approved by Island County in conform with the zoning then in effect.

Minimum building setbacks (from property lines) are as follows:

Road Setbacks Side and Rear Yard Setbacks

20 feet 10 feet

Lots 1, 2, 9, 14, 15 & 16 have additional building setbacks as noted the face of this plat. 3

All utilities serving new construction in this PRD shall be underground.

8. Utility lines, roads, or other utility features are not allowed within Tracts B, C, D, E. or F except as provided for on the face of this map.

9. Trees noted hereon as "Protected Tree" shall not be disturbed regardless of their size, and shall be allowed to grow to their full natural height and extent. Trees 8" in diameter or larger at chest height shall not be disturbed, cut, or removed.

10. Subject to power easement AF#75691.

11. Subject to terms and conditions of easement for water system under AF#403684 and AF#85010347.

12. Subject to grant of easement recorded under AF#86015120.

Subject to assignment of water rights recorded under AF#86015124.

14. Subject to septic tank easement AF#87016658.

15. Subject to easement to install, maintain and repair sewage disposal recorded under AF#84006769.

16. Subject to declaration of easement and covenants recorded under AF#85012525.

Subject to easement and covenants recorded under AF#86000649.

Subject to road agreement and easements recorded under AF#86013363. I addendum recorded under AF#86015119.

19. Subject to agreement for drainage easements, beach access easement and stairway recorded under AF#86015121.

Subject to bill of sale with reservation recorded under AF#86015125

boundary line adjustment recorded under AF#87008904.

Subject to agreement for assignment for water certificates AF#93014781.

Subject to pathway access easement recorded under AF#403684

COMMUNITY OWN ED TRACTS:

Planned Res

idential Development

CHELEEK PRD

Sections 4 and 9, T.32N., R.2E., W.M.

The following Tracts shall be over of the common areas for the t wned and maintained by the Association as benefit of the Owners of the Lots.

Tract A Private Roads

Tract A is hereby reserved for Clearing and disturbance of veg minimum necessary to install a systems and utilities. r private road, drainage and utility purposes. egetation in Tract A shall be limited to the and safely maintain private roads, drainage

Permanent Open Space

Tract B is hereby reserved as and conditions in that "Grant Auditor's File # 87017576. Ar shoreline portion of Tract B. nt of Conservation Archeological Site Permanent Open n Space, subject to the terms Easement" recorded under 451S41 is located along the

The Owner or his representative must be on—site during any excavation, alteration, or disturbance of the ground in Tract B, to monitor for the existence of archaeological resources. If any evidence of archaeological resources is uncovered, the work must stop immediately and the State Office of Archaeology and Historic Preservation and the Whidbey Camano Land Trust must be contacted for permits and instruction. Ground disturbing activities include construction of any drainfield, utility, structure, fence, landscaping, or other improvement which would require disturbance of the ground, whether by shovel, rototiller, or heavy machinery, and whether or not a permit for the activity is required from Island County. Additional restrictions regarding ground disturbing activities are listed in the above referenced Grant of Conservation Easement.

Hedgerows within Tract B shall be protected from removal or destruction but may be trimmed to a minimum width of 10 feet

PRD plat. Trees on Tract B shall not be cut or removed. The pasture area within Tract B may be cut and maintained in conformance with the terms of the above referenced Grant of Conservation Easement.

Tracts C and D Natural Areas

Tracts C and D are hereby reserved as Natural Area. The purpose of the Natural Area is to provide an area of undisturbed native trees and understory vegetation for the benefit of the Owners. All native vegetation within the Natural Area, including trees, bushes, flowers, bulbs and mosses, shall not be disturbed, with the following exceptions:

1) The pedestrian trail and bench within the Natural Area may be maintained, provided the tread of the pedestrian trail shall not be wider than 18 inches. Posts at trail heads may be maintained and replaced as needed.

2) The driveway within the 30' access and utility easement serving Lot 3 may be maintained. Maintenance of the driveway shall be limited to the minimum necessary to provide safe access to Lot 3.

3) Maintenance of roadside vegetation at the intersection of pedestrian trails and Viewpoint Drive will be limited to the minimum necessary to provide safe visibility for pedestrians and vehicles.

4) The 15 foot wide sanitary sewer easement accross Tract D as shown on sheet 4 of 6 and on sheet 5 of 6 contains a sewage transport line. The owner of Lot 13 shall be responsible for the maintenance of said line. In the event of maintenance the owner shall restore the ground surface of the easement to its original condition.

Tracts E and F Community Recreation Areas

Tracts E and F are hereby reserved for Community Recreation Area. Uses permitted in Tracts E and F include passive and active recreational activities and limited recreation facilities such as a volleyball court, swing set or other recreational equipment that does not detract from the visual character of the Tract or disturb protected vegetation. The pasture area within Tracts E and F may be maintained by mowing. The use of Tracts E & F are further restricted by those Covenants, Conditions, and Restrictions recorded under Auditor's File No. __#071111_______.

EASEMENT PROVISIONS:

1. The drainage easements across the northwest corner of Lot 6 and the north portion of Lot 14 as shown on sheet 5 of 6 are hereby reserved for and granted to the Cheleek Community Association for the purpose of operating, maintaining, and repairing stormwater drainage facilities, together with the right of ingress and egress for such purposes. Maintenance, repair, and reconstruction of drainage facilities within these easements is the responsibility of the Cheleek Community Association. and

2. The pedestrian trail easement across Lots 1, 9 and 12, as shown hereon, is hereby reserved for use the and benefit of each Lot Owner. The Cheleek Community Association is responsible for operating, maintaining, and repairing the pedestrian trail. The pedestrian trail shall not to exceed a tread width of 24 inches.

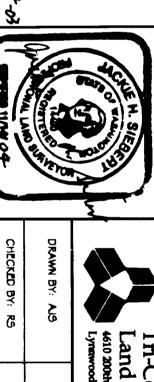
3. The private drainfield easements located on Tract B, as shown herecn, are hereby reserved for and granted to the owners of Lots 1, 2, 4, 5, 6, 7, 8, 15, & 16. for the purpose of operating, maintaining and constructing individual off—site drainfields and appurtenances, together with the right of ingress and egress for such purposes as described in that "Off—site Drainfield Easement and Operations and Maintenance Agreement" recorded under Auditors File No. 401109—and the "Declaration of Covenants, Conditions and Restrictions" recorded under Auditor's File No. 407111

4. The private drainfield easements located on Tract E, as shown hereon, are hereby reserved for and granted to the owners of Lots 9, 10, 12, & 13 for the purpose of operating, maintaining and constructing individual off—site drainfields and appurtenances, together with the right of ingress and egress for such purposes as described in that "Off—site Drainfield Easement and Operations and Maintenance Agreement" recorded under Auditors File No. 4071111

5. The private access and utility easement across Lots 15 and 16 is for t benefit of Lots 15 and 16. The owners of Lots 15 and 16 shall be equally responsible for the maintenance, repair and reconstruction of the private driveway located within said access easement.

The private access and utility easement across Tract c is for the benefit 3. The owner of Lot 3 shall be responsible for the maintenance, repair d reconstruction of the private driveway located within said access

7. The private access and utility easement across Lot 1 is for the benefit of Lot 2. The owner of Lot 2 shall be responsible for the maintenance, repair ar reconstruction of the private driveway located within said access easement.



Land Surveying Company 4610 200th St. S.W. Suthe A Lynawcod, Wa. 98036 (425)776-2926 Fax:776-2850 Tri-County

HEL LEEK

Planned Residential Development Oak Harbor, Washington

ISLAND COUNTY, WASHINGTON

SHEET 2 OF 6

JOB No.

67-062

